

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

IN RE: AMERICAN MEDICAL SYSTEMS, INC.,  
PELVIC REPAIR SYSTEMS  
PRODUCTS LIABILITY LITIGATION

MDL NO. 2325

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THIS DOCUMENT RELATES TO:

*Phung, et al. v. Ethicon, Inc., et al.*

*Civil Action No. 2:12-cv-05562*


**ORDER**

(Dismissing Defendant American Medical Systems, Inc. with Prejudice  
and Transferring Case to MDL 2327)

On September 22, 2016 the plaintiffs and defendant American Medical Systems, Inc., (“AMS”) filed a Joint Motion to Dismiss Defendant American Medical Systems, Inc. with Prejudice [ECF No. 35]. In the joint motion the parties are seeking dismissal of AMS as a defendant in this action with prejudice because all claims against AMS have been compromised and settled, including all claims, counterclaims, cross-claims and third party claims. Also pending is Plaintiffs’ Motion to Transfer MDLs for this case [ECF No. 35]. After careful consideration, it is **ORDERED** that the Joint Motion to Dismiss AMS with Prejudice is **GRANTED**. It is further **ORDERED** that the **MOTION TO TRANSFER MDLs** is **GRANTED**. Defendant AMS is **DISMISSED WITH PREJUDICE** as a defendant in this action and this action is **TRANSFERRED** to MDL 2327. The Clerk is directed to disassociate the civil action as member case in MDL 2325 and re-associate it with MDL 2327.

The Clerk is directed to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: October 6, 2016



JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE